federal register

Tuesday
May 1, 1979

Part V

Office of Management and Budget

Budget Deferrals

OFFICE OF MANAGEMENT AND BUDGET

Budget Deferrals

To the Congress of the United States:

In accordance with the Impoundment Control Act of 1974, I herewith report three new deferrals of budget authority totalling $164.1 million and a revision to a previously transmitted deferral increasing the amount deferred by $1.0 million. The items involve the fossil energy construction and Strategic Petroleum Reserve programs in the Department of Energy and the payment of Vietnam prisoner of war claims in the Foreign Claims Settlement Commission.

The details of the deferrals are contained in the attached reports.

Jimmy Carter

The White House,
April 26, 1979.

BILLING CODE 3110-01-M

CONTENTS OF SPECIAL MESSAGE
(in thousands of dollars)

Deferral No.	Item	Budget Authority
	Department of Energy:	
	Energy Programs	
D79-55	Fossil energy construction	50,000
D79-56	Fossil energy construction	570
D79-57	Strategic Petroleum Reserve	113,528
	Other Independent Agencies:	
	Foreign Claims Settlement Commission	
D79-29A	Payment of Vietnam prisoner of war claims	1,894
	Total, deferrals	165,992

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SUMMARY OF SPECIAL MESSAGES
FOR FY 1979

(in thousands of dollars)

	Rescissions	Deferrals
Ninth special message:		
New items	---	164,098
Change to amount previously submitted	---	1,000
Effect of ninth special message	---	165,098
Previous special messages	908,692	4,208,712
Total amount proposed in special messages	908,692	4,373,810 1/
	(in 11 rescission proposals)	(in 57 deferrals)

1/ This amount represents budget authority except for $15,809,478 in two Treasury Department deferrals of outlays only (D79-40A and D79-25B).

Deferral No: D79-55

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Energy	New budget authority $ 99,709,000 (P.L. 95-465) 1/
Bureau: Energy Programs	Other budgetary resources 143,682,898
Appropriation title & symbol: Fossil Energy Construction 89X0214	Total budgetary resources 243,391,898
	Amount to be deferred: Part of year $ ____ 2/ Entire year 50,000,000
OMB identification code: 89-0214-0-1-271	Legal authority (in addition to sec. 1013): ☒ Antideficiency Act ☐ Other
Grant program: ☐ Yes ☒ No	
Type of account or fund: ☐ Annual ☐ Multiple-year ____ (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification: These funds were appropriated in FY 1979 and prior years for the construction of a low/medium BTU coal gasification demonstration plant. Present scheduling calls for reaching a decision to proceed with construction of the plant in December 1979, pending completion of two conceptual designs which will provide necessary environmental and economic assessments. These funds are deferred pending the results of this decision.

This deferral action is consistent with the recommendations contained in both House and Senate report language accompanying H.R. 2439, the Budget Rescission Bill, 1979, which was signed into law on April 9, 1979 (P.L. 96-7).

Estimated Effects: Deferral of these funds will have no impact on the construction schedule since the conceptual design phase of the project is not expected to be completed until December 1979, and a selection of one of the two designs could not be made until the second quarter of FY 1980.

Outlay Effects: There is no effect on outlays of this deferral since the funds would not be used if made available.

1/ This amount represents unobligated balances carried forward from FY 1978 for the fossil energy portion of the Energy appropriation account (89X0203).
2 These funds were proposed for rescission on January 31, 1979 (R79-2). This proposal was not approved by the Congress.

Deferral No: D79-56

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Energy	New budget authority (P.L. 95-465 _ _) $ 99,709,000
Bureau: Energy Programs	Other budgetary resources 143,682,898 1/
Appropriation title & symbol: Fossil Energy Construction 89X0214	Total budgetary resources 243,391,898
	Amount to be deferred: Part of year $ ____
	Entire year 570,000
OMB identification code: 89-0214-0-1-271	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program: ☐ Yes ☒ No	☐ Other ____
Type of account or fund: ☐ Annual ☐ Multiple-year ____ (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other ____

Justification: The Department of the Interior and Related Agencies Appropriation Act, 1979, provided $570,000 for a "mining and energy related technologies education center/coal utilization facility". These funds were intended for costs relating to the preconstruction phase of the educational facility, such as curricula development and architectural and engineering studies.

Currently, there are at least three separate efforts underway within the Federal government to establish coal miner training needs involving the Department of Energy, the Interior Department's Bureau of Mines, and the President's Commission on Coal. These funds are deferred pending the completion of these studies so that the Department of Energy will have a sufficient basis to determine the type of coal miner training that will be needed and the breadth of training that should be undertaken at the new facility.

Estimated Effect: The effect of this deferral is to preserve these funds for use after the studies mentioned above are completed. It is expected that the study results will be available in time to permit initiation of this project in FY 1980.

Outlay Effect: The net effect on outlays will be to shift $570,000 in outlays from 1979 into 1980.

1/ This amount represents unobligated balances carried forward from FY 1978 for the fossil energy portion of the Energy appropriation account (89X0203).

Deferral No: D79-57

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Energy	New budget authority (P.L. 95-465 _ _) $ 3,006,854,000
Bureau: Energy Programs	Other budgetary resources 64,658,180
Appropriation title & symbol: Strategic Petroleum Reserve 899/10218	Total budgetary resources 3,071,512,180
	Amount to be deferred: Part of year $ 30,000,000
	Entire year 83,528,000
OMB identification code: 89-0218-0-1-274	Legal authority (in addition to sec. 1013): ☒ Antideficiency Act
Grant program: ☐ Yes ☒ No	☐ Other ____
Type of account or fund: ☐ Annual ☒ Multiple-year December 31, 1980 (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other ____

Justification: These funds are appropriated for the development of Strategic Petroleum Reserves including oil acquisition and transportation, facilities development, planning and administration.

In March, 1979, the House and Senate subcommittees on Interior appropriations approved reprogramming $529,214,000 originally intended for oil acquisition and transportation for use in facilities development. Within this amount funds totalling $83,528,000 are programmed for use in FY 1980, and are deferred for the remainder of FY 1979. From the remaining $445,686,000 reprogrammed for use in FY 1979, $30,000,000 represents contingency amounts which have not yet been committed to specific facility development requirements. This $30,000,000 is deferred pending requirements for its use. The Department of Energy and the Office of Management and Budget will periodically review the status of facility funding requirements to determine when the reserved funds should be made available. This action is taken under the provisions of the Antideficiency Act (31 U.S.C. 665) which authorizes the establishment of reserves for contingencies.

Estimated Effects: This deferral action will have no programmatic effects. Sufficient funds are available to permit execution of the present program plan for FY 1979.

Outlay Effects: There is no outlay effect from this deferral.

D79-29A

SUPPLEMENTARY REPORT

Report Pursuant to Section 1014(c) of Public Law 93-344

This report updates Deferral No. D79-29 transmitted to the Congress on October 2, 1978 and printed as House Document No. 95-392.

This revision of a deferral for the payment of Vietnam prisoner of war claims increases the amount currently reported as deferred from $894,000 to $1,894,000. This increase of $1,000,000 is consistent with congressional intent to transfer these funds to the salaries and expenses account of the Foreign Claims Settlement Commission as stated in Senate Report 96-33, which accompanied H.R. 2439, the Budget Rescission Bill, 1979 (P.L. 96-7).

Deferral No: D79-29A

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Foreign Claims Settlement Commission Bureau:	New budget authority (P.L. ___ ___ ___) $ ___ Other budgetary resources 2,044,000*
Appropriation title & symbol Payment of Vietnam Prisoner of War Claims 1/ 79X0104	Total budgetary resources 2/ 2,044,000* Amount to be deferred: Part of year $1,894,000* Entire year ___
OMB identification code: 79-0104-0-1-153	Legal authority (in addition to sec. 1013): ☒ Antideficiency Act ☐ Other ___
Grant program: ☐ Yes ☒ No	
Type of account or fund: ☐ Annual ☐ Multiple-year ___ (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other ___

Justification*: Public Law 91-289, approved June 24, 1970, authorizes the Foreign Claims Settlement Commission to adjudicate and certify for payment the claims of American military and civilian prisoners of war held during the Vietnam conflict, or their survivors. Before claims can be certified for payment by the Commission, the appropriate military service must determine the individual's POW status and, in the case of claims by the survivors of missing persons where evidence of captivity exists, it must also determine the date of death. Such determinations have been delayed pending the results of intense efforts to account for missing United States servicemen.

Appropriations were enacted in 1971, 1972, and 1973 totalling $16,565,000 for the payment of Vietnam POW claims to remain available until expended. Of the $2,044,000 remaining available, $150,000 has been apportioned for 1979 to pay prisoner of war claims resulting from new determinations in 1979 and $894,000 is deferred to pay any additional claims and cover any awards that may be made during the three years a claimant has to contest an adjudicated claim. The remaining $1,000,000 was originally included in a rescission proposal (D-79-29) transmitted to the Congress on January 31, 1979. Senate Report 96-33, which accompanied H.R. 2439, the Budget Rescission Bill, 1979 (P.L. 96-7) recommended transfer of this $1,000,000 to provide for FY 1980 administrative expenses of the Commission. Accordingly, these funds are deferred pending congressional action on this transfer.

[illegible] claims cannot be adjudicated or certified for payment by the Commission until final status determinations are made by the military services.

Outlay Effect: No effect on outlays results from this deferral action.

* Revised from previous report.

1/ This account was the subject of a similar deferral during FY 1978.

2/ H.R. 2439 was signed into law on April 9, 1979, rescinding $8,000,000 from this account (D-79-29).

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